



**JOINT MEETING OF THE MILPITAS  
CITY COUNCIL, SUCCESSOR AGENCY TO THE  
REDEVELOPMENT AGENCY, AND MILPITAS  
ECONOMIC DEVELOPMENT CORPORATION**



**AGENDA**

**TUESDAY, MARCH 4, 2014**

**455 EAST CALAVERAS BOULEVARD, MILPITAS, CA  
6:00 P.M. (CLOSED SESSION) • 7:00 P.M. (PUBLIC BUSINESS)**

**SUMMARY OF CONTENTS**

- I. CALL TO ORDER/ROLL CALL by the Mayor (6:00 p.m.)**
- II. ADJOURN TO CLOSED SESSION**
  - 1. CONFERENCE WITH LEGAL COUNSEL, EXISTING LITIGATION**

Pursuant to California Government Code Section 54956.9(a)  
County of Santa Clara, et al., v. Milpitas Economic Development Corporation, et al., Sacramento County Superior Court case no. 34-2013-80001436, and  
Successor Agency to the Milpitas Redevelopment Agency, et al. v. John Chiang, et al., Sacramento County Superior Court case no. 34-2013-80001508
  - 2. CONFERENCE WITH LABOR NEGOTIATORS - COLLECTIVE BARGAINING**

Pursuant to California Government Code Section 54957.6  
City Negotiators: Tom Williams, Carmen Valdez  
Employee Groups: International Association of Fire Fighters Local 1699, Milpitas Employees Association (MEA) Mid-management and Confidential Unit (Mid-Con), and Professional and Technical Group (ProTech)  
Under Negotiation: Wages, Hours, Benefits, and Working Conditions
- III. CLOSED SESSION ANNOUNCEMENT:** Report on action taken in Closed Session, if required pursuant to Government Code Section 54957.1, including the vote or abstention of each member present
- IV. PLEDGE OF ALLEGIANCE (7:00 p.m.)**
- V. INVOCATION (Councilmember Giordano)**
- VI. APPROVAL OF COUNCIL MEETING MINUTES – February 18, 2014**
- VII. SCHEDULE OF MEETING – COUNCIL CALENDAR – March 2014**
- VIII. PUBLIC FORUM**

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Members of the audience are invited to address the Council on any subject not on tonight's agenda. Speakers must come to the podium, state their name and city of residence for the Clerk's record, and limit their remarks to three minutes. As an unagendized item, no response is required from City staff or the Council and no action can be taken; however, the Council may instruct the City Manager to place the item on a future meeting agenda.

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- IX. ANNOUNCEMENTS**

- X. ANNOUNCEMENT OF CONFLICT OF INTEREST AND CAMPAIGN CONTRIBUTIONS**
- XI. APPROVAL OF AGENDA**
- XII. CONSENT CALENDAR (Items with asterisks\*)**

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Consent calendar items are considered to be routine and will be considered for adoption by one motion. There will be no separate discussion of these items unless a member of the City Council, member of the audience, or staff requests the Council to remove an item from or be added to the consent calendar. Any person desiring to speak on any item on the consent calendar should ask to have that item removed from the consent calendar. If removed, this item will be discussed in the order in which it appears on the agenda.

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**XIII. PUBLIC HEARING**

- 1. Hold a Public Hearing to Consider Adopting Two Resolutions Updating the Transit Area Development Impact Fee and Introduce Ordinance No. 277.1 Updating the Development Impact Fee (Staff Contact: Steven McHarris, 408-586-3273)**

**XIV. UNFINISHED BUSINESS**

- \* 2. Receive Monthly Update of the Odor Report (Staff Contact: Jeff Moneda, 408-586-3345)**

**XV. REPORT OF MAYOR**

- \* 3. Consider Mayor's Recommendation of Appointment to the Telecommunications Commission (Contact: Mayor Esteves, 408-586-3029)**

**XVI. ORDINANCES**

- \* 4. Waive the Second Reading and Adopt Ordinance No. 65.143 Amending the Building Code for Corrections to Sections II-3-2.09 and II-3.5-2.03 (Staff Contact: Keyvan Irannejad, 408-586-3244)**
- \* 5. Waive the Second Reading and Adopt Ordinance No. 208.49 Amending the Milpitas Sanitary Code (Staff Contact: Steve Machida, 408-586-3355)**

**XVII. RESOLUTIONS**

- \* 6. Adopt a Resolution Authorizing the Chief of Police to Execute the Agreement with the County of Santa Clara for the 2014 Avoid the 13 Grant Program (Staff Contact: Raj Maharaj, 408-586-2435)**
- \* 7. Adopt a Resolution Authorizing the City Manager to Award and Execute a Construction Contract with S&H Construction Inc. for the Milpitas Sports Center Locker Room Renovation, Project No. 3408, Authorize the Director of Public Works to Negotiate and Execute Contract Change Orders, and Approve a Budget Appropriation (Staff Contact: Jeff Moneda, 408-586-3345)**

**XVIII. DEMANDS**

- \* 8. Receive Report of Emergency Repair of the Milpitas Sports Center Swimming Pool Boilers, and Authorize Staff to Pay Invoices for Project No. 3406 (Staff Contact: Jeff Moneda, 408-586-3317)**
- \* 9. Authorize Payment of the Annual CRW Technical Support and Software Maintenance Services for the Not-To-Exceed Amount of \$22,000 (Staff Contact: Chris Schroeder, 408-586-3161)**

**XIX. JOINT MEETING OF THE CITY OF MILPITAS, THE SUCCESSOR AGENCY TO THE REDEVELOPMENT AGENCY OF THE CITY OF MILPITAS, AND THE MILPITAS ECONOMIC DEVELOPMENT CORPORATION**

- 1. Call to Order/Roll Call by the Mayor/Chair**
- 2. Approval of Agenda/Consent Calendar**
- \* 3. Authorize the Executive Director to Terminate the Standstill Agreement between the City of Milpitas, the Successor Agency to the City of Milpitas, the Milpitas Economic Development Corporation, and the Oversight Board to the City of Milpitas and Provide Written Notice to All Parties (Staff Contact: Tom Williams, 408-586-3050)**
- 4. Adjourn Joint Meeting**

**XX. ADJOURNMENT**

**NEXT REGULARLY SCHEDULED COUNCIL MEETING  
TUESDAY, MARCH 18, 2014**

**KNOW YOUR RIGHTS UNDER THE OPEN GOVERNMENT ORDINANCE**

Government's duty is to serve the public, reaching its decisions in full view of the public. Commissions and other agencies of the City exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and the City operations are open to the people's review. For more information on your rights under the Open Government Ordinance or to report a violation, contact the City Attorney's office at Milpitas City Hall, 455 E. Calaveras Blvd., Milpitas, CA 95035  
e-mail: [mogaz@ci.milpitas.ca.gov](mailto:mogaz@ci.milpitas.ca.gov) / Phone: 408-586-3040

*The Open Government Ordinance is codified in the Milpitas Municipal Code as Title I Chapter 310 and is available online at the City's website [www.ci.milpitas.ca.gov](http://www.ci.milpitas.ca.gov) by selecting the Milpitas Municipal Code link.*

Materials related to an item on this agenda submitted to the City Council after initial distribution of the agenda packet are available for public inspection at the City Clerk's office at Milpitas City Hall, 3<sup>rd</sup> floor 455 E. Calaveras Blvd., Milpitas and on the City website.

All City Council agendas and related materials can be viewed online here:  
[www.ci.milpitas.ca.gov/government/council/agenda\\_minutes.asp](http://www.ci.milpitas.ca.gov/government/council/agenda_minutes.asp) (select meeting date)

**APPLY TO SERVE ON A CITY COMMISSION**

Current vacancies exist on the:  
*Community Advisory Commission (regular and alternate)*  
*Recycling and Source Reduction Advisory Commission (institutional member)*  
*Veterans Commission (alternate)*

Commission application forms are available online at [www.ci.milpitas.ca.gov](http://www.ci.milpitas.ca.gov) or at Milpitas City Hall. Contact the City Clerk's office at 408-586-3003 for more information.

*If you need assistance, per the Americans with Disabilities Act, for any City of Milpitas public meeting, call the City Clerk at 408-586-3001 or send an e-mail to [mlavelle@ci.milpitas.ca.gov](mailto:mlavelle@ci.milpitas.ca.gov) prior to the meeting. You may request a larger font agenda or arrange for mobility assistance. For hearing assistance, headsets are available in the Council Chambers for all meetings.*

## AGENDA REPORTS

### XIII. PUBLIC HEARING

#### 1. Hold a Public Hearing to Consider Adopting Two Resolutions Updating the Transit Area Development Impact Fee and Introduce Ordinance No. 277.1 Updating the Development Impact Fee (Staff Contact: Steven McHarris, 408-586-3273)

**Background:** The Transit Area Specific Plan (TASP) was adopted by the City Council on June 3, 2008 and includes a detailed description of public facilities required to serve the Transit Area. A Transit Area Development Impact Fee (TADIF) was approved by the Council on September 2, 2008, and updated in December of 2012, requiring new development within the Transit Area to pay for the needed public infrastructure and improvements (e.g. per each new residential unit or per square foot basis for nonresidential uses). The TADIF study includes a provision to review the fees annually and update them if necessary in response to market trends, construction cost, land value, and adjustments in the infrastructure program.

**Analysis:** A TADIF update is required this year to incorporate the following:

- Infrastructure cost savings through the entitlement process, and City/County reduction in contributions toward Montague Expressway improvements for a total savings of \$15,608,731.
- \$1,000,000 for South Milpitas Boulevard frontage improvements, currently not accounted for in the TADIF.
- \$350,000 for utility undergrounding underneath Union Pacific railroad at S. Milpitas Boulevard for PG&E and reclaimed water lines, currently not accounted for in the TADIF.
- Adjustment in TASP land use assumptions in response to market trends, as follows:
  - a. Residential unit count applications for existing and new entitlement projects are trending from the planned 7,109 to the TASP minimum permitted of 6,520 units;
  - b. Retail remains steady as it is tied to residential mixed-use zones and anticipated to remain unchanged at 275,075 square feet;
  - c. Office demand is very low in Milpitas and anticipated to only provide ½ the 496,922 square feet originally programmed; and
  - d. Hotel demand does not exist and is not anticipated in the TASP.

Based on the revised land use assumptions and infrastructure costs after adjusting for cost savings, the revised TADIF is proposed as shown in the table below.

<b>Table 1      Summary of Updated Fee and Comparison with Current Fee</b>					
<b>TASP Fee</b>	<b>Multi-family</b>		<b>Retail</b>	<b>Office</b>	<b>Hotel</b>
	<b>For-Sale</b>	<b>Rental</b>			
	<i>per unit</i>	<i>per unit</i>	<i>per sq. ft.</i>	<i>per sq. ft.</i>	<i>per room</i>
<b>2014 Proposed Fee Update</b>	<b>\$32,781</b>	<b>\$32,781</b>	<b>\$22.80</b>	<b>\$36.60</b>	<b>\$0</b>
2014 Current Fee <sup>1</sup>	\$30,521	\$30,521	\$21.77	\$31.56	\$11,313
2012 Fee Update <sup>2</sup>	\$29,012	\$29,012	\$20.70	\$30.00	\$10,754
<u>Change from Current Fee to Updated Fee</u>					
\$ Change	\$2,260	\$2,260	\$1.03	\$5.04	(\$11,313)
% Change	7.4%	7.4%	4.7%	16.0%	-100%

P:\210001\210304MilpitasTASP\_Update\2014\_Update\Miscell\FeeUpdate\_02-05-2014.xlsx[Test]

[1] Escalated from the 2012 fee update based on the change in ENR's construction cost index.

[2] Fees based on the December 2012 fee update were adopted and went into effect in early 2013.

The proposed Fee Update is in conformance with AB 1600 (the “Mitigation Fee Act”) which governs both the establishment of new fees and the increase of an existing fee by requirement of a noticed public hearing. The increase in development impact fee would generally become effective 60 days after City Council approval in accordance with state law. Due to the development community’s expectations for continued and uninterrupted project implementation, the associated infrastructure requirements necessary to support planned development, and the ability to immediately collect funding for such improvements, staff prepared an urgency measure to be adopted by resolution that will allow the fee schedule update to become effective on March 4, 2014, for a 30 day period in accordance with state law. If approved by four-fifths vote as required by state law, staff plans to return to the City Council on April 3, 2014 for an additional 30-day extension of the urgency measure, which upon expiration, the permanent resolution would become effective.

#### **Impact Fee Ordinance Update**

The City’s Development Impact Fee Ordinance, as codified in Chapter 4 of Title VIII of the Milpitas Municipal Code, was adopted by the City Council in 2008. The Ordinance was enacted in accordance with the Mitigation Fee Act and sets forth the application of development fee programs in the City, authority for limited use of the fees collected, and process for fee credits, adjustments and waivers. The Ordinance requires developers to pay the applicable impact fee prior to issuance of the building permit unless later payment is required by City ordinance or State law. City staff proposes that the City Council approve an update of the ordinance to clarify that the fee amount to be paid to the City shall be based on the rate approved by the City Council in effect at the time of issuance of the building permit. This is consistent with current practice. With any fee program, periodic review and updates are required over time and the update will provide more clarity in the ordinance.

**Fiscal Impact:** None. The proposed Transit Area Development Impact Fee Schedule bears a reasonable relationship to the projected impacts of new development and is necessary to mitigate these impacts.

#### **Recommendations:**

1. Open the public hearing to receive comments.
2. Move to close the public hearing, following any comments.
3. Adopt a Resolution revising the fee schedule for the Transit Area Development Impact Fee.
4. Adopt a Resolution by at least four-fifths vote making findings to support an urgency measure to have the revised fee schedule for the Transit Area Development Impact Fee effective immediately in accordance with California Government Code Section 66017.
5. Following the City Attorney’s reading of the title of Ordinance No. 277.1, move to waive the first reading.
6. Introduce Ordinance No. 277.1 updating the Development Impact Fee.

#### **Attachments:**

- A. Resolution Adopting Transit Area Development Impact Fee Increase and Development Impact Fee Update – Report from EPS dated February 2014 (Exhibit A)
- B. Urgency Resolution Adjusting Existing Transit Area Development Impact Fee
- C. Ordinance No. 277.1 updating the Development Impact Fee

## **XIV. UNFINISHED BUSINESS**

- \* 2. **Receive Monthly Update of the Odor Report (Staff Contact: Jeff Moneda, 408-586-3345)**

**Background:** From January 17 through February 9, 2014, the Bay Area Air Quality Management District (BAAQMD) received seven odor complaints originating in Milpitas. Three complaints identified a garbage-related odor and four did not identify an odor source. As of the

last Council update, the City's odor reporting website has received twenty-two reported complaints.

**California Environmental Quality Act:** The item is exempt from CEQA as there will be no physical change to the environment.

**Recommendation:** Receive the odor update report.

## **XV. REPORT OF MAYOR**

- \* **3. Consider Mayor's Recommendation of Appointment to the Telecommunications Commission (Contact: Mayor Esteves, 408-586-3029)**

**Background:** Mayor Esteves recommends appointing Anh Bao as Alternate No. 2 to a term that will expire in January 2016. Two current applications are included in the Council agenda packet.

**Recommendation:** Receive Mayor's recommendation and move to appoint Anh Bao to the Telecommunications Commission as Alternate No. 2.

## **XVI. ORDINANCES**

- \* **4. Waive the Second Reading and Adopt Ordinance No. 65.143 Amending the Building Code for Corrections to Sections II-3-2.09 and II-3.5-2.03 (Staff Contact: Keyvan Irannejad, 408-586-3244)**

**Background:** On February 18, 2014, the City Council introduced Ordinance Number 65.143 to Make Clerical Corrections to Sections II-3-2.09 and II-3.5-2.03. No changes have been made to the ordinance since its first reading.

**Recommendation:** Waive the second reading and adopt Ordinance No. 65.143 for minor corrections to the Building Code.

- \* **5. Waive the Second Reading and Adopt Ordinance No. 208.49 Amending the Milpitas Sanitary Code (Staff Contact: Steve Machida, 408-586-3355)**

**Background:** On February 18, 2014, the City Council introduced Ordinance No. 208.49 to amend Title VIII, Chapter VIII-2 of the Milpitas Municipal Code, relating to the Milpitas Sanitary Ordinance, to comply with current regulatory requirements established by the Water Pollution Control Plant's National Pollutant Discharge Elimination System permit. No changes were made to the ordinance introduced on February 18, 2014. Ordinance No. 208.49 is ready for adoption.

**California Environmental Quality Act:** The ordinance is exempt from CEQA since there will be no physical change to the environment.

**Recommendation:** Waive the second reading and adopt Ordinance No. 208.49 to repeal and replace Title VIII, Chapter VIII-2 of the Milpitas Sanitary Code.

## **XVII. RESOLUTIONS**

- \* **6. Adopt a Resolution Authorizing the Chief of Police to Execute the Agreement with the County of Santa Clara for the 2014 "Avoid the 13" Grant Program (Staff Contact: Raj Maharaj, 408-586-2435)**

**Background:** The County of Santa Clara administers the 2014 "Avoid the 13" grant program offering grant funds from the California Office of Traffic Safety. Grant funds reimburse law

enforcement agencies for overtime expenditures specifically directed towards Driving Under the Influence (DUI) enforcement. The goals of the program are to apprehend drunk drivers and to reduce the number of people killed or injured in alcohol-related collisions. The City of Milpitas was approved for a grant of \$8,000 to provide DUI enforcement staffing on an overtime basis in Milpitas in conjunction with the countywide “Avoid the 13” holiday campaigns between October 1, 2013 and September 30, 2014.

**Fiscal Impact:** None. Overtime expenditures will be reimbursed by the grant.

**Recommendations:**

1. Adopt a resolution authorizing the Chief of Police to execute the agreement with the County of Santa Clara for the 2014 Avoid the 13 grant program.
  2. Approve a budget appropriation in the amount of \$8,000.00 to the Police Department overtime budget as a result of the 2014 Avoid the 13 grant program.
- \* 7. **Adopt a Resolution Authorizing the City Manager to Award and Execute a Construction Contract with S & H Construction Inc. for the Milpitas Sports Center Locker Room Renovation, Project No. 3408, Authorize the Director of Public Works to Negotiate and Execute Contract Change Orders, and Approve a Budget Appropriation (Staff Contact: Jeff Moneda, 408-586-3345)**

**Background:** On January 7, 2014, the City Council approved project plans and specifications and authorized advertising for construction bid proposals for the Milpitas Sports Center Locker Room Renovation, Project No. 3408. The project provides for the complete reconstruction of both the men’s and women’s locker rooms, including new interior walls with concrete curbs, as required by both the Plumbing and Health Codes, and complete replacement of the sewer line serving the locker rooms. In addition, new restrooms, lockers, benches, fixtures, shower stalls, flooring, drinking fountains, and finishes will be included in the project. Mechanical and electrical systems serving the locker rooms would be upgraded to meet current code requirements. The Engineer’s Estimate for the base bid project work was \$835,000.

The project was advertised and six sealed bids were received on February 13, 2014. Bid proposals ranged from \$898,600 to \$1,329,323, and the lowest responsible base bid was submitted by S & H Construction, Inc. in the amount of \$898,600. Staff recommends the City Council to award the contract to S & H Construction, Inc.

As was previously approved for the successful completion of recent projects with tight completion schedules, staff is requesting the use of the same change order policy. This policy allows for the timely completion of the Milpitas Sports Center Locker Room Renovation Project, while addressing the need to respond swiftly to construction conditions and approving necessary change orders, in order to limit potential claims or risk to the City. The construction contingency established for this project is \$100,000, and the change order authority would not exceed this amount and would not require additional appropriation.

This project is categorically exempt under Section 15301 (Existing Facilities) of the CEQA Guidelines for restoration or rehabilitation of deteriorated or damaged structures.

**Fiscal Impact:** A budget appropriation in the amount of \$800,000 from the General Government CIP fund is required to award this project.

**Recommendations:**

1. Adopt a Resolution authorizing the City Manager to award and execute a construction contract with S & H Construction, Inc. for the Milpitas Sports Center Locker Room Renovation, Project No. 3408, in the amount of \$898,600, and

2. Authorize the Director of Public Works to negotiate and execute change order(s) for Milpitas Sports Center Locker Room Renovation Project No. 3408, in the cumulative contingency amount not to exceed \$100,000 for the project.
3. Approve a budget appropriation in the amount of \$800,000 from General Government CIP fund to the Milpitas Sports Center Locker Room Renovation Project, Project No. 3408.

## **XIX. DEMANDS**

- \* **8. Receive Report of Emergency Repair of the Milpitas Sports Center Swimming Pool Boilers, and Authorize Staff to Pay Invoices for Project No. 3406 (Staff Contact: Jeff Moneda, 408-586-3317)**

**Background:** Per state contracts law and Resolution No. 7779, the Public Works Director may authorize emergency work, but must provide the City Council with a report of all such activities. In accordance with these requirements, the Public Works Director authorized Pacific Air Solutions Service Company to install replacement swimming pool heating boilers at the Milpitas Sports Center.

The original natural gas fired boilers were installed in the early 1980s to provide heat to the three sports center pools. Recently, the boilers began to operate erratically and would not ignite or provide the required heat. Upon inspection, it was found that the boilers have deteriorated to the point where replacement is required for safety. The steel structures have corroded and do not safely support the flue structures, gas burners, and heating coils. The automatic gas valve feeding the yard pool was found to be inoperable and was manually turned down to reduce flow for safety. Repair parts for these boilers are not available, due to the age of the units, so replacement is the only option. Providing year-around reliable heat for the three pools is required to maintain the different pool-related activities and service for the Sports Center, which does generate revenue for the City and is used frequently by many users of the facility.

Several qualified firms were consulted to assist with the replacement of the boilers. Pacific Air Solutions Service Company was responsive and thus was selected to perform the work. The company's proposal was the most thorough and complete, and its pricing appears to be competitive. Pacific Air has performed repair services for the City for many years and has solid knowledge of how the pool boilers interact with the Tecogen cogeneration plant, which is tied into the pool system boilers to provide supplemental heating. In the past, Pacific Air Solutions had installed replacement boilers in the Public Works/Police Building and that work continues to be reliable for the City.

The scope of work for the boiler replacement includes providing three new gas-fired boilers, installing related plumbing and electrical, and manufacturer commissioning and testing at a maximum cost of \$115,000.

This project is categorically exempt under Section 15301 of the CEQA Guidelines for restoration or rehabilitation of deteriorated or damaged structures.

**Fiscal Impact:** None. Sufficient funds are available in the project budget for these services.

**Recommendation:** Receive this report of emergency repair of the Milpitas Sports Center swimming pool boilers, Project No. 3406 and authorize city staff to pay invoices for this work.

- \* **9. Authorize Payment of the Annual CRW Technical Support and Software Maintenance Services for the Not-To-Exceed Amount of \$22,000 (Staff Contact: Chris Schroeder, 408-586-3161)**

**Background:** In 2007, the City of Milpitas entered into a contract with CRW for implementation of a software system to issue and track building permits. The software requires



annual maintenance and technical support. CRW is proprietor of the software and there is no other source for support and maintenance of this application.

**Fiscal Impact:** None. Funds for this service are available from the Information Services Operating Budget.

**Recommendation:** Authorize payment of the annual CRW Systems, Inc. technical support and software maintenance services for the not-to-exceed amount of \$22,000.

**XIX. JOINT MEETING OF THE CITY OF MILPITAS, THE SUCCESSOR AGENCY TO THE REDEVELOPMENT AGENCY OF THE CITY OF MILPITAS, AND THE MILPITAS ECONOMIC DEVELOPMENT CORPORATION**

- \* 3. **Authorize the Executive Director to Terminate the Standstill Agreement between the City of Milpitas, the Successor Agency to the City of Milpitas, the Milpitas Economic Development Corporation, and the Oversight Board to the City of Milpitas and Provide Written Notice to All Parties (Staff Contact: Tom Williams, 408-586-3050)**

**Background:** In February of 2013, a “standstill” agreement was consummated between the City of Milpitas, the Successor Agency to the City of Milpitas, the Milpitas Economic Development Corporation and the Oversight Board to the City of Milpitas. The subject “standstill” agreement was requested by the Oversight Board assigned to the City of Milpitas with the objective of preserving assets of the former Redevelopment Agency transferred to the Milpitas Economic Development Corporation and the City of Milpitas.

These assets are the subject of a questionable “clawback” or retroactive provision pursuant to redevelopment dissolution laws (AB 1X 26 and AB1484). The County of Santa Clara and State of California Department of Finance sued the City for assets subject to the retroactive (“clawback”) provisions. The City submitted a settlement offer to Santa Clara County and the State of California Department of Finance which is currently under discussion.

At this juncture, the terms of the standstill agreement no longer serve the interest of the City of Milpitas, the Successor Agency to the City of Milpitas, or the Milpitas Economic Development Corporation. Section 6 of the agreement provides a termination allowing any of the parties to terminate the agreement upon 30 days written notice to all parties.

**Recommendation:** Terminate the standstill agreement and provide written notice to the Oversight Board to the City of Milpitas and other parties as required by agreement.

**XX. ADJOURNMENT**

**NEXT REGULARLY SCHEDULED COUNCIL MEETING  
TUESDAY, MARCH 18, 2014**